

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MAJOR LEAGUE BASEBALL
PROPERTIES, INC. and CHICAGO CUBS
BASEBALL CLUB, LLC,

Plaintiffs,

v.

Civil Action No. 1:16-cv-09140

TOUSSIAINT STEVENS; STEVE RUSSELL;
RICHARD JEKEL; HOWARD KADET;
PETE GADBERRY; HARRY GIBSON,
individually and d/b/a Offcenter Marketing;
JASON ALSPAUGH, individually and d/b/a
Chi Apparel; LARRY BOISSEAU; BYRON
YABLON; JOHN YABLON; JOSE
VILLAREAL; RAMON RIOS; RICHARD
WELLS; DEESCO PERRIMAN, JR.; and
DOES 1-30,

Defendants.

**PLAINTIFFS' MOTION FOR LEAVE TO FILE
THEIR SECOND AMENDED COMPLAINT**

Plaintiffs Major League Baseball Properties, Inc. and Chicago Cubs Baseball Club, LLC request leave to file their Second Amended Complaint. In support of this motion, Plaintiffs state the following:

1. Plaintiffs request leave to file their Second Amended Complaint in order to substitute Defendants Michael Quatrone and Raymond Miller for two previously named Does.
2. Defendants Michael Quatrone and Raymond Miller have been served with summons and copies of the First Amended Complaint and the Extended *Ex Parte* Temporary Restraining Order, and Seizure and Impoundment Order. Plaintiffs have filed concurrently the proof of service as to Defendants Michael Quatrone and Raymond Miller.

3. Federal Rule of Civil Procedure 15(a)(2) allows parties to amend their pleadings with the district court's leave, which should be freely given when justice so requires. Under this broad standard, the district court should "allow amendment unless there is a good reason—futility, undue delay, undue prejudice, or bad faith—for denying leave to amend." *Life Plans, Inc. v. Sec. Life of Denver Ins. Co.*, 800 F.3d 343, 357–58 (7th Cir. 2015) (citing *Foman v. Davis*, 371 U.S. 178, 182 (1962)). None of the exceptions that might justify denying amendment is present in this case.

For these reasons, Plaintiffs Major League Baseball Properties, Inc. and Chicago Cubs Baseball Club, LLC request leave to file their Second Amended Complaint.

Dated: October 11, 2016

RILEY SAFER HOLMES & CANCELLA LLP

By: /s/ Matthew C. Crowl

Matthew C. Crowl

mcrowl@rshc-law.com

Brian O. Watson

bwatson@rshc-law.pcom

Three First National Plaza

70 W. Madison Street, Suite 2900

Chicago, Illinois 60602

Telephone: (312) 471-8700

Facsimile: (312) 471-8701

KILPATRICK TOWNSEND & STOCKTON LLP

R. Charles Henn Jr. (*pro hac vice*)

chenn@kilpatricktownsend.com

Jennifer Fairbairn Deal (*pro hac vice*)

jdeal@kilpatricktownsend.com

1100 Peachtree Street, Suite 2800

Atlanta, GA 30309

Telephone: (404) 815-6500

Facsimile: (404) 815-6555

Attorneys for Plaintiffs